

108TH CONGRESS
1ST SESSION

H. R. 104

To amend title II of the Social Security Act to eliminate the 24-month waiting period for disabled individuals to become eligible for Medicare benefits.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. GREEN of Texas introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title II of the Social Security Act to eliminate the 24-month waiting period for disabled individuals to become eligible for Medicare benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Disability
5 Eligibility Improvement Act of 2003”.

1 **SEC. 2. ELIMINATION OF WAITING PERIOD FOR MEDICARE**
2 **DISABILITY BENEFITS.**

3 (a) IN GENERAL.—Section 226(b) of the Social Secu-
4 rity Act (42 U.S.C. 426(b)) is amended—

5 (1) in paragraph (2)(A), by striking “, and has
6 for 24 calendar months been entitled to,”;

7 (2) in paragraph (2)(B), by striking “, and has
8 been for not less than 24 months,”;

9 (3) in paragraph (2)(C)(ii), by striking “, in-
10 cluding the requirement that he has been entitled to
11 the specified benefits for 24 months,”;

12 (4) in the first sentence, by striking “for each
13 month beginning with the later of (I) July 1973 or
14 (II) the twenty-fifth month of his entitlement or sta-
15 tus as a qualified railroad retirement beneficiary de-
16 scribed in paragraph (2), and” and inserting “for
17 each month for which the individual satisfies para-
18 graph (2), beginning with the first month in which
19 the individual satisfies such paragraph, and”;

20 (5) in the second sentence, by striking “the
21 ‘twenty-fifth month of his entitlement’ ” and all that
22 follows through “paragraph (2)(C) and”; and

23 (6) in the third sentence, by striking “, but not
24 in excess of 24 such months”.

25 (b) CONFORMING AMENDMENT.—

1 (1) SECTION 226.—Section 226 of the Social
2 Security Act (42 U.S.C. 426) is amended by striking
3 subsections (f) and (h).

4 (2) MEDICARE DESCRIPTION.—Section 1811(2)
5 of such Act (42 U.S.C. 1395c(2)) is amended by
6 striking “have been entitled for not less than 24
7 months” and inserting “are entitled”.

8 (3) MEDICARE COVERAGE.—Section 1837(g)(1)
9 of such Act (42 U.S.C. 1395p(g)(1)) is amended by
10 striking “25th month” and inserting “first month”.

11 (4) RAILROAD RETIREMENT SYSTEM.—Section
12 7(d)(2)(ii) of the Railroad Retirement Act of 1974
13 (45 U.S.C. 231f(d)(2)(ii)) is amended—

14 (A) by striking “has been entitled to an
15 annuity” and inserting “is entitled to an annu-
16 ity”;

17 (B) by striking “, for not less than 24
18 months”; and

19 (C) by striking “could have been entitled
20 for 24 calendar months, and”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to insurance benefits under title
23 XVIII of the Social Security Act with respect to items and

- 1 services furnished in months beginning at least 90 days
- 2 after the date of the enactment of this Act.

